



STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
505 HUDSON STREET, HARTFORD, CONNECTICUT 06106

Michelle S. Cruz, Esq.
State Victim Advocate

Testimony of Michelle Cruz, Esq., State Victim Advocate Judiciary Committee Wednesday, March 17, 2010

Good morning Senator McDonald, Representative Lawlor and distinguished members of the Judiciary Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony in **SUPPORT** of:

Raised House Bill No. 5473, *An Act Concerning Actions to Recover Damages for the Sexual Abuse, Sexual Exploitation or Sexual Assault of a Minor*

Throughout the country, we are seeing severe cases of the sexual assault and abuse of minors just now coming to light. In many cases, the perpetrators have died, and therefore, the victim will never have the ability to seek justice through the criminal process. The most recent case is that of Dr. Reardon of West Hartford, CT.

Newly discovered evidence, after the sale of his home in West Hartford, confirmed what many had suspected and others knew. Unfortunately for many of the victims of Dr. Reardon, the statute of limitations to seek damages in a civil action has expired. This proposal will eliminate the statute of limitations on the filing of a civil action in cases of sexual assault, sexual abuse or sexual exploitation of a minor. Additionally, the proposal will eliminate the homestead exception in cases, such as the Dr. Reardon matter, wherein a money judgment has been awarded arising out of a civil action in cases of sexual assault.

As we who deal with sex assault victims know, many times victims suffer in silence for years before every telling anyone they were assaulted. Additionally, victims of sex assault who were young when they were assaulted, in many cases, may either not realize they were assaulted until they reach maturity or suppress the memories of the assault which is common in cases of trauma. The process of a sexual assault victim to heal sufficiently in order to pursue a civil claim is long and filled with trauma and self doubt. This is not an easy step, nor is it an answer for all victims. But those victims who choose to pursue civil action in sexual assault cases, should have the ability to do so at a time that is not only safest for them, but also healthiest. The proposed legislation allows these victims this avenue.

One of the concerns often voiced is the unsupported fear that sexual assault victim will begin to lodge numerous civil actions against their offenders. However, what is commonly left out of this scenario is the reality that in order for a suit to come forward, the victim must first obtain an attorney who is willing to sue on behalf of the victim. This is not an easy task for sexual assault victims. Only a limited number of attorneys are

specialized in this field and will take on a sexual assault civil lawsuit. Therefore, the expressed concern of the landslide of these cases is merely a red herring.

I urge the committee to support the proposal on behalf of minor victims of sexual assault.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michelle S", with a horizontal line drawn through the middle of the name.

Michelle Cruz, Esq.
State Victim Advocate